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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,796	06/19/2001	Zine-Eddine Boutaghou	169.12-0496	4390

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MINNEAPOLIS, MN 55415-1002

EXAMINER

MILLER, BRIAN E

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/884,796	<b>Applicant(s)</b> BOUTAGHOUE ET AL.	
	<b>Examiner</b> Brian E. Miller	<b>Art Unit</b> 2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-18 and 27-29 is/are allowed.
- 6) ☒ Claim(s) 19,20,23-26,30,31 and 33 is/are rejected.
- 7) ☒ Claim(s) 21-22, 27-29, 32, 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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Claims 3-34 are now pending.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/20/05 has been entered.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

2. Claims 19-20, 23-26, 30-31, 33 are rejected under 35 U.S.C. 102(b) as being anticipated by applicant's admitted prior art (AAPA), i.e., FIGs. 2A-2B. The AAPA shows a composite slider body, having a front portion 42 composed of a first material, e.g., AlTiC, a rear portion 44 composed of a second material, e.g., Al<sub>2</sub>O<sub>3</sub>, different from the first material; an air bearing surface which comprises a leading ABS portion 40 formed in the front body portion; a trailing ABS portion formed in the rear portion, i.e., which includes the ABS portion on the center of the rear pad of which the basecoat 46 forms; (as per claim 20) wherein the thickness of the first material is "as much as 15 times" a thickness of the second material; (as per claim 23) wherein the lapping durability of the first material is greater than the second material; (as per claims 25-

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26) wherein a single latitudinal plane separates the front portion from the rear, and the front portion is composed entirely of the first material and the rear portion is composed entirely of the second material. Further, with respect to claims 19 & 30, FIGs. 2A-2B also show the interface, dashed line 50, shown in the figures, depicts a drop in elevation on the interface line on the middle pad/rail where the magnetic head is positioned.

***Allowable Subject Matter***

3. Claims 3-18, 27-29 are allowable over the prior art of record.
4. Claims 21-22, 27-29, 32, 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

5. Applicants amendments to the claims and subsequent arguments filed 12/20/05 have been fully considered but they are not entirely persuasive.

A...With respect to the AAPA, Applicants' assert that "Figs 2A-2B fail to disclose any interface, much less an air bearing surface containing an interface 50 that has a change in elevation, as does the present invention (as shown in Figs. 5A-5B and 7A-7B)."

The Examiner respectfully disagrees. It is considered that the now claimed "change in elevation" is depicted in FIGs. 2A-2B, as the interface, i.e., dashed line 50, shown in the figures, depicts a drop in elevation on the interface line on the middle pad/rail where the magnetic head is positioned. Therefore, this rejection is maintained.

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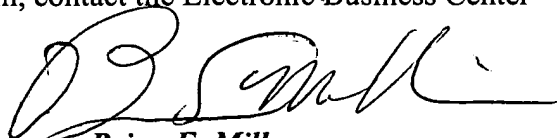
**B...**The amendments to the other claims, which Lille was previously applied to, with respect to this “change in elevation at an interface”, has overcome these rejections, since Lille does not teach or suggest any particulars of the air bearing surface, although there is necessarily one. These claims have therefore been indicated as otherwise allowable.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian E. Miller whose telephone number is (571) 272-7578. The examiner can normally be reached on M-TH 7:15am-4:45pm (and every other Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic-Business Center (EBC) at 866-217-9197 (toll-free).

  
**Brian E. Miller**  
**Primary Examiner**  
**Art Unit 2652**

BEM  
February 20, 2006